

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

Tenner Murphy, by  
his guardians Kay and Richard Murphy;  
Marrie Bottelson; Dionne Swanson; and  
on behalf of others similarly situated,

Plaintiffs,

vs.

The Minnesota Department of Human  
Services, an agency of the State of  
Minnesota; and Emily Johnson Piper in her  
Capacity as Commissioner of the  
Minnesota Department of Human Services,

Defendants.

---

Civ. No. 16-cv-2623 (DWF/BRT)

**PLAINTIFFS' NOTICE OF  
HEARING ON MOTION FOR  
CLASS CERTIFICATION**

**TO: The Minnesota Department of Human Services, an agency of the State of Minnesota, and Emily Johnson Piper in her capacity as Commissioner of the Minnesota Department of Human Services, by and through their attorneys Scott Ikeda, Janine Kimble, and Ian Welsh, Minnesota Attorney General's Office, 445 Minnesota Street, Suite 1100, St. Paul, Minnesota 55101.**

PLEASE TAKE NOTICE that Plaintiffs, through their attorneys Sean Burke and Justin H. Perl of Mid-Minnesota Legal Aid and Minnesota Disability Law Center; and Joseph W. Anthony, Steven M. Pincus, and Peter J. McElligott of Anthony Ostlund Baer & Louwagie, P.A., will bring the following Motion before the Honorable Donovan W. Frank, Senior U.S. District Judge, at United States District Court, Courtroom 7C, 724 Federal Building, 316 North Robert Street, St. Paul, MN 55101, on Friday, May 19, 2017 at 11:00 a.m.

Plaintiffs will move this Court for certification of the following class: All individuals age 18 and older who are eligible for and have received a Disability Waiver, live in a licensed CRS facility, and have not been given the choice and opportunity to reside in the most integrated residential setting appropriate to their needs.

**MID-MINNESOTA LEGAL AID  
MINNESOTA DISABILITY  
LAW CENTER**

Dated: February 27, 2017

By: /s/ Sean Burke

Sean Burke (# 0392115)  
Justin H. Perl (# 151397)  
430 First Avenue North, Suite 300  
Minneapolis, MN 55401  
(612) 746-3759 (Telephone and Fax)  
sburke@mylegalaid.org  
jperl@mylegalaid.org

**ANTHONY OSTLUND  
BAER & LOUWAGIE P.A.**

Dated: February 27, 2017

By: /s/ Joseph W. Anthony

Joseph W. Anthony (#0002872)  
Steven M. Pincus (#0171414)  
Peter J. McElligott (#0397578)  
90 South 7th Street  
3600 Wells Fargo Center  
Minneapolis, MN 55402  
Telephone: 612-349-6969  
janthony@anthonyostlund.com  
spincus@anthonyostlund.com  
pmcelligott@anthonyostlund.com

**ATTORNEYS FOR THE PLAINTIFFS**